

Amendment A Legislative Response To Classified Immunity Deal For Contractor KBR That Exposed Oregon National Guardsmen To Toxic Chemicals In Iraq

WASHINGTON – Last night, Reps. Earl Blumenauer and Kurt Schrader of Oregon won passage of [an amendment](#) [PDF] to the National Defense Authorization Act of 2011 to bring greater transparency to the war contracting process. The amendment requires the Secretary of Defense to notify Congress whenever the DoD enters into or modifies an indemnification agreement and explain why such a provision is necessary.

“This is a victory for transparency in our military contracting process,” **said Blumenauer**. “It is also a victory for the 34 Oregon National Guard members whose health was endangered by a military contractor that received a classified immunity deal from the Pentagon. By forcing the Pentagon to conduct business with contractors out in the open, we can restore a sense of public accountability for companies whose operations may endanger our troops.”

“Secret agreements protecting military contractors to the detriment of our brave warriors insults the sacrifices they have made to protect this nation,” **said Schrader**. “While this is a positive step forward for transparency, we must continue to curtail practices like this that put the health and safety of our brave warriors at risk. They fight for us and we have a responsibility to stand behind them.”

Last Congress, Representatives Blumenauer and Schrader led the fight in Congress to reform how the Pentagon does business with defense contractors. Their actions were sparked by the stories of 34 members of the Oregon National Guard who are suing KBR after exposure to the lethal carcinogen hexavalent chromium during their 2003 tour in Iraq while protecting the Qarmat Ali Water Treatment Facility. The Qarmat Ali site, contracted to KBR for reconstruction, left Oregon troops with chronic medical problems.

The lawsuit revealed the existence of a classified indemnification clause in the KBR contract that could absolve the company from liability and shift the cost of unlimited damages, health costs and court fees onto the Department of Defense and, by extension, U.S. taxpayers.

The Oregon veterans weren't the only ones affected by the chemical exposure. National Guard troops from Indiana, Texas, West Virginia and North Carolina – who were also assigned to protect Qarmat Ali – have been diagnosed with similar health problems.